



RURAL COUNTY REPRESENTATIVES
OF CALIFORNIA

January 28, 2016

The Honorable Edmund G. Brown, Jr.
Governor, State of California
State Capitol, First Floor
Sacramento, CA 95814

RE: Assembly Bill 21 (Wood) – REQUEST FOR SIGNATURE

Dear Governor Brown:

On behalf of the Rural County Representatives of California (RCRC), I respectfully request your signature on Assembly Bill 21. AB 21, authored by Assembly Member Jim Wood, addresses two revisions to the recently-enacted medical marijuana regulatory statutes relating to medical marijuana cultivation. RCRC is an association of thirty-five rural California counties and the RCRC Board of Directors is comprised of elected supervisors from each of those member counties.

In the final hours of the 2015 Legislative Session, the Legislature enacted a regulatory framework for medical marijuana. Unfortunately, a number of inadvertent provisions were retained in the package. One such provision is 11362.777 (C) (4) – commonly known as “C 4” - which states:

If a city, county, or city and county does not have land use regulations or ordinances regulating or prohibiting the cultivation of marijuana, either expressly or otherwise under principles of permissive zoning, or chooses not to administer a conditional permit program pursuant to this section, then commencing March 1, 2016, the division shall be the sole licensing authority for medical marijuana cultivation applicants in that city, county, or city and county.

This provision should not have been included due to the difficulties in meeting other timelines associated with provisions of the regulatory framework, including the cultivation licensing aspects. As such, RCRC strongly supports C 4’s removal, as put forth in AB 21, in order for there to be less confusion regarding how counties should implement provisions of the regulatory package.

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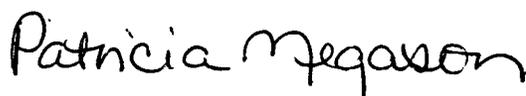
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The second inadvertent error that needs correction pertains to the last sentence of Section 11362.777 (g), commonly referred to as "Section G." Counties are mindful that the inclusion of Section G (the local control provision on personal grows and patient caregiver grows) in last year's final package came as a surprise. Counties had lobbied for a similar provision only to see it removed in the Senate. While it may seem attractive to simply repeal Section G, counties believe such an approach would be extremely problematic and present counties with a worse-case scenario. With the Legislature providing local control to a segment of the framework and then repealing that ability, this may call into question the remaining local control provisions found throughout the regulatory framework.

In order to avoid a complete repeal of Section G, representatives of cities, counties and police chiefs worked with medical marijuana patient advocacy groups, namely the Drug Policy Alliance and the American Civil Liberties Union, to reach a compromise. We are pleased to say that AB 21 reflects that compromise. The revision to Section G enables counties to move forward in our local control efforts with respect to issues involving land-use decision for the cultivation of medical marijuana.

Again, RCRC respectfully requests your signature on AB 21. Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in black ink that reads "Patricia Megason". The signature is written in a cursive, flowing style.

PATRICIA MEGASON
Executive Vice President

cc: The Honorable Jim Wood, Member of the California State Assembly